

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DCP OPERATING COMPANY, LP, and
DCP MIDSTREAM, LP

Plaintiffs,

v.

2:24cv00628 SMD/KRS

ST. PAUL FIRE AND MARINE INS. CO.

Defendant.

**STIPULATED ORDER REGARDING STAY OF DISCOVERY
TO PERMIT FILING OF DISPOSITIVE CROSS-MOTIONS**

THIS MATTER, having come before the Court upon the parties' Joint Motion to Stay Discovery In Order to Permit For The Filing Of Dispositive Cross-Motions, the Court having considered the Joint Motion and being fully advised, finds that the Motion is well-taken and should be GRANTED.

IT IS THEREFORE ORDERED that

1. Discovery is stayed and the remaining deadlines in Scheduling Order [Doc 25] are vacated.
2. The parties will file cross-motions on whether Defendant had a duty to defend and/or indemnify Plaintiffs for claims made against Plaintiffs personal injury action titled *Manuel Saenz, et al. v. DCP Operating Company, LP et al*, Cause Number D-101-CV-2021-02435, filed in Santa Fe County ("*Saenz Action*").
3. The cross-motions will not address the amount of damages that Plaintiffs claim are owed, including the amount of any defense or indemnity obligation, if any, in the event Defendant is found to have improperly denied coverage for the *Saenz Action*

4. The cross-motions will also not address the extra-contractual claims (Counts II and III).

5. The cross-motions will be filed no later than March 31, 2025.

6. The parties will request a joint status conference following the Court's rulings on the cross-motions to determine a discovery plan and any other case deadlines should the rulings not dispose of the case on the merits.

IT IS SO ORDERED this 27th day of February, 2025.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE

Submitted by:

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

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